REMARKS

The Examiner rejected claims 1, 3-5, 7, 8, 10, 20, 23-25, 27, 29, 30 and 32 under 35 U.S.C. §103(a) as allegedly being unpatentable over Greer et al. (hereinafter Greer), U.S. Patent Publication No. 2001/0011226, in view of Goldman, U.S. Patent Publication No. 2003/0135853.

The Examiner rejected claim 2 under 35 U.S.C. §103(a) as allegedly being unpatentable over Greer and Goldman in view of Hoguta et al. (hereinafter Hoguta), U.S. Patent 6,725,303.

The Examiner rejected claims 11, 22 and 28 under 35 U.S.C. §103(a) as allegedly being unpatentable over Greer and Goldman in view Hoguta, and further in view of Kwok et al. (hereinafter Kwok), U.K. Patent Publication GB 2,346,239 A.

Applicant respectfully traverses the §103(a) rejections with the following arguments.

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35 U.S.C. §103(a): Claims 1, 3-5, 7, 8, 10, 20, 23-25, 27, 29, 30 and 32

The Examiner rejected claims 1, 3-5, 7, 8, 10, 20, 23-25, 27, 29, 30 and 32 under 35 U.S.C. §103(a) as allegedly being unpatentable over Greer *et al.* (hereinafter Greer), U.S. Patent Publication No. 2001/0011226, in view of Goldman, U.S. Patent Publication No. 2003/0135853.

Applicant respectfully contends that claims 1, 20, and 23 are not unpatentable over Greer in view of Goldman, because Greer in view of Goldman does not teach or suggest each and every feature of claims 1, 20 and 23 .

As a first example of why claims 1, 20, and 23 are not unpatentable over Greer in view of Goldman, Greer in view of Goldman does not teach or suggest the feature: "acquiring data from each site searched or visited by the user during each session of a plurality of sessions via the public network, **said acquired data comprising content of each site searched or visited during each said session**" (emphasis added).

The Examiner argues that "Greer discloses ...acquiring data from sites searched or visited by the user during each session of a plurality of sessions via the public network, said acquired data comprising content of each site searched or visited during each said session, (page 2, paragraphs 15-16)".

In "Response to Arguments", the Examiner states: "Examiner submits that Greer also specifically discloses "acquiring data from each site searched or visited by the user during each session of a plurality of session via the public network, said acquired data comprising content of each site searched or visited during each said session" in paragraph 15. In this passage Greer teaches the acquired data comprising content of each site searched or visited being " ... a particular Window or screen at a particular web site"."

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In response, Applicants acknowledge that Greer teaches acquiring data relating to visits of a web sites by the user (see Greer FIG. 2 and description thereof in Paragraphs 0014 - 0016). However, the acquired data in Greer does not comprise the **content** of each site as required by claims 1, 20, and 34. Moreover, the Examiner's quote of "a particular Window or screen at a particular web site" is out of context, since Greer, Paragraph 15 actually recites: "Information indicating the amount of time spent by the end user on a particular window or screen at a particular Web site may also be collected by the agent and stored." (emphasis added), which does not relate to the **content** of each site as required by claims 1, 20, and 34.

As a second example of why claims 1, 20, and 23 are not unpatentable over Greer in view of Goldman, Greer in view of Goldman does not teach or suggest the feature: "parsing the acquired data to identify session attributes for each site searched or visited and associating a session weight with each said session attribute of each site searched or visited, **wherein the session attributes for each site searched or visited are derived from keywords consisting of section headings and bolded words in the acquired data of each site searched or visited, and** wherein each session weight of each site searched or visited is derived from the time spent by the user in each site searched or visited or from a frequency of visits by the user to each site searched or visited" (emphasis added).

The Examiner argues that Greer, Paragraphs 15-16 and 23 disclose said "parsing" of the preceding feature of claims 1, 20, and 23.

In response, Applicants respectfully contend that Greer, Paragraphs 15-16 and 23 does not disclose said "parsing".

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The Examiner acknowledges that Greer "fails to expressly show: the session attributes for each site searched or visited being derived from keywords consisting of section headings and bolded words in the acquired data." The Examiner argues: "Nevertheless, in a similar field of endeavor, Goldman teaches systems and methods for inserting advertisements in an information document displayed to a user comprising: session attributes for programming viewed by a user being derived from topics and keywords associated with the programming, (page 6, paragraph 58).... Thus, if not implicit in arc teachings of Greer, given the teachings of Goldman it would have been obvious to one of ordinary skill in the art, to modify the teachings of Greer to show the session attributes for each site searched or visited being derived from keywords consisting of section heading and bolded words in the acquired data. This would have facilitated increasing the efficiency for providing advertisement information to a user, (Goldman, page 1, paragraph 10, Greer page 1, paragraph 6).".

In response, Applicants respectfully contend that Goldman, Paragraph 58 does not teach or suggest the "bolded words" limitation in the preceding feature of claims 1, 20, and 23. In addition, Goldman, Paragraph 58 does not teach or suggest the close-ended "consisting of" limitation in the preceding feature of claims 1, 20, and 23.

As a third example of why claims 1, 20, and 23 are not unpatentable over Greer in view of Goldman, Greer in view of Goldman does not teach or suggest the feature: "providing a mapping that associates each session attribute with a corresponding user profile attribute". FIG. 4 of Applicant's patent application provides an example of said "mapping", wherein the session attributes (KEYWORDS column) are associated with corresponding user profile attributes

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(ATTRIBUTE column). Greer does not teach the claimed "mapping".

The Examiner argues that Greer, Paragraphs 15-16 and 23-26 disclose the preceding feature of claims 1, 20, and 23.

In "Response to Arguments", the Examiner states: "Greer teaches a plurality of profile attributes (238, 242, 246), with the attribute (246) being related to miscellaneous information, (page 2, paragraph 15). Greer further gives specific examples of storing interest profiles for a user, and updating these profiles to remove old information in order to change a users interests by monitoring sessions of the user, (page 2, paragraphs 15-16, and page 3, paragraphs 23-26). Examiner submits that the only way the profiles can be updated to remove old information is to provide a mapping that associates each session attribute (an attribute of the current session being monitored) with a corresponding user profile attribute (a stored attribute related to the users interest profile)."

In response, Applicants disagree with the Examiner's allegation that "the only way the profiles can be updated to remove old information is to provide a mapping that associates each session attribute ... with a corresponding user profile attribute", since the Examiner has not provided any evidence or logical proof to support the preceding allegation. Moreover, the preceding allegation of "the only way ..." is an allegation of inherency, and Applicants submit that inherency cannot be used to reject a claim under 35 U.S.C. § 103(a). *In re Shetty*, 566 F.2d 81, 86, 195 U.S.P.Q. 753, 756-57 (C.C.P.A. 1977) (reversing the Board's rejection of a claim based on alleged inherency under 35 U.S.C. 103 of a method to curb appetite, and stating: "[t]he inherency of an advantage and its obviousness are entirely different questions. That which may be inherent is not necessarily known. Obviousness cannot be predicated on what is unknown").

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As a fourth example of why claims 1, 20, and 23 are not unpatentable over Greer in view of Goldman, Greer in view of Goldman does not teach or suggest the feature: "for each user profile attribute: determining a user profile weight derived from session weights associated with session attributes corresponding to the user profile attribute in accordance with said mapping". Greer does not teach both "session weights" and "a user profile weight", and Greer most certainly does not disclose the preceding feature of claims 1, 20 and 23 which depends of the claimed "mapping" to link the session attributes with corresponding user profile attributes in order to effectuate determining the user profile weight as claimed.

The Examiner argues that Greer, Paragraph 23 discloses the preceding feature of claims 1, 20, and 23.

In "Response to Arguments", the Examiner states: "it clear that the feature'. "for each user profile compute: determining a user profile weight derived from session weights associated with session attributes corresponding to the user profile attribute in accordance with said mapping" is taught by Greer, (page 3, paragraph 23). The user profile weight being, "... basketball is greater than scale 10", and the session weight being, "10 minutes"."

In response, Applicants respectfully contend that "10 minutes" is not a session weight but is rather the value of the session attribute of the time spent at basketball web sites. Indeed, no session weight is disclosed in Greer, paragraph 23. Moreover, the "10" in the phrase "basketball is greater than scale 10" refers to 10 minutes, and "basketball is greater than scale 10" is not a weight but rather is a time threshold for "deliver[ing] content from a particular section of a particular database".

As a fifth example of why claims 1, 20, and 23 are not unpatentable over Greer in view of Goldman, Greer in view of Goldman does not teach or suggest the feature: "generating a user profile pertaining to the user, said user profile including one or more attribute records, each attribute record of said one or more attribute records comprising: a user profile attribute of said user profile attributes, the user profile weight associated with the user profile attribute, and the session weights associated with the user profile attribute". The preceding feature of claims 1, 20, and 23 is reciting a particular formatting of the user profile in terms of records and the content of the records. This claimed format of the user profile is illustrated in Table 3 of Applicant's patent application. Although FIG. 2 of Greer depicts records of a user profile, the records in Greer's user profile do not include all of the content claimed for the records of claims 1, 20 and 23. For example, the records in Greer do not include the session weights (i.e., the session weights are defined earlier in the claim(s) as the weights of each individual web site visited during each session).

The Examiner argues that Greer, Paragraphs 15-16 and 23-26 disclose the preceding feature of claims 1, 20, and 23.

In "Response to Arguments", the Examiner states: "it clear that the feature: "generating a user profile pertaining to the user, said user profile including one or more attribute records, each attribute record of said one or more attribute records comprising: a user profile attribute of said user profile attributes, the user profile weight associated with the user profile attribute, and the session weights associated with the user profile attribute", is taught by Greer, (page 2, paragraphs 15-16, and page 3, paragraphs 23-26)."

In response, Applicants respectfully contend that Greer, Paragraphs 15-16 and 23-26 does

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not disclose the preceding feature of claims 1, 20, and 23.

Based on the preceding arguments, Applicants respectfully maintain that claim 1 is not unpatentable over Greer in view of Goldman, and that claim 1 is in condition for allowance. Since claims 3-5, 7, 8 and 10 depend from claim 1, Applicants contend that claims 3-5, 7, 8 and 10 are likewise in condition for allowance. Since claims 29, 30 and 32 depend from claim 20, Applicants contend that claims 29, 30 and 32 are likewise in condition for allowance. Since claims 24, 25 and 27 depend from claim 23, Applicants contend that claims 24, 25 and 27 are likewise in condition for allowance.

In addition with respect to claims 7, 27, and 32, Greer in view of Goldman does not teach or suggest the feature: "wherein said user profile attributes are selected from the group consisting of economic stratum, age group, sex, educational background, occupation, religious background, personal technical interests, and combinations thereof.

The Examiner argues: "In considering claims 7, 27, and 32, although the disclosed method, server system, and computer program taught by Greer shows substantial features of the claimed invention, it fails to expressly show: the user profile attributes being selected from the group consisting of economic stratum, age group, sex, educational background, occupation, religious background, and personal technical Interests.... Nevertheless, Greer does teach the user profile attributes being selected from a group consisting of: Web sites frequented by a user, (page 2, paragraph 15)".... Thus, it would have been obvious to one of ordinary skill in the art, to modify the teachings of Greer to show the attributes being selected from the group consisting of

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economic stratum, age group, sex, educational background, occupation, religious background, and personal technical interests, and combinations thereof. It was well known in the art at the time of the present invention for web sites to be based on such groups, Greer, page 3, paragraph 23."

In response, Applicants respectfully contend that Greer, Paragraph 23 does not support the Examiner's allegation that "[i]t was well known in the art at the time of the present invention for web sites to be based on such groups".

Accordingly, respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claims 7, 27, and 32.

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35 U.S.C. §103(a): Claim 2

The Examiner rejected claim 2 under 35 U.S.C. §103(a) as allegedly being unpatentable over Greer and Goldman in view of Hoguta *et al.* (hereinafter Hoguta), U.S. Patent 6,725,303.

Since claim 2 depends from claim 1, which Applicant has argued *supra* to not be unpatentable over Greer in view of Goldman and Goldman under 35 U.S.C. §103(a), Applicant maintains that claim 2 is likewise not unpatentable over Greer and Goldman in view of Hoguta under 35 U.S.C. §103(a).

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35 U.S.C. §103(a): Claims 11, 22 and 28

The Examiner rejected claims 11, 22 and 28 under 35 U.S.C. §103(a) as allegedly being unpatentable over Greer and Goldman in view Hoguta, and further in view of Kwok *et al.* (hereinafter Kwok), U.K. Patent Publication GB 2,346,239 A.

Since claims 11, 22 and 28 respectively depend from claims 1, 20, and 23, which Applicant has argued *supra* to not be unpatentable over Greer in view of Goldman under 35 U.S.C. §103(a), Applicant maintains that claims 11, 22 and 28 are likewise not unpatentable over Greer and Goldman in view of Hoguta and further in view of Kwok under 35 U.S.C. §103(a).

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CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims

and the entire application meet the acceptance criteria for allowance and therefore request

favorable action. If the Examiner believes that anything further would be helpful to place the

application in better condition for allowance, Applicants invites the Examiner to contact

Applicants' representative at the telephone number listed below. The Director is hereby

authorized to charge and/or credit Deposit Account 09-0457.

Date: 11/23/2005

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